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EG&G ROCKY FLATS**EG&G ROCKY FLATS, INC**

ROCKY FLATS PLANT, P O BOX 464, GOLDEN, COLORADO 80402-0464 • (303) 966-7000

September 24, 1993

93-RF-11834

J K Hartman
 Assistant Manager for
 Transition and Environmental Restoration
 DOE, RFO

OU-4 DISPUTE RESOLUTION - NMH-496-93

This letter is in response to the fax (attached) sent to S R Keith on September 24, 1993, which was the draft agreement between Colorado Department of Health (CDH), Environmental Protection Agency (EPA), and Department of Energy (DOE) on the OU-4 Interagency Agreement (IAG) milestone extension dispute resolution. Inherent in that draft is the reduction of schedule reserve in the accelerated closure action schedule from 80 days to 40 days.

EG&G will, as always, do our best to meet your commitments. Realize that the concept of schedule reserve is not an exact science, but that we have applied a rational, analytical method to arrive at a schedule reserve yielding commitment dates with high confidence levels for success. In arbitrarily reducing the schedule reserve, that confidence level is reduced. The DOE needs to understand this. EG&G will do its utmost to meet the dates decided upon.

Perhaps more important than schedule reserve is the acknowledgement of the assumptions upon which the schedules are based. These assumptions will be used in the management of baseline scopes, costs, and schedules.

EG&G looks forward with excitement and commitment to execute these accelerated OU-4 actions.

N M Hutchins
 Acting Associate General Manager
 Environmental Restoration Management

SRK bep

Attachment
 As Stated

Orig and 1 cc - J K Hartman

CC
 F R Lockhart - DOE, RFO
 A H Pauole - " "
 R J Schassburger - " "

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ENEDETTI, R L	X	X
ENJAMIN A		
ERMAN H S		
RANCH D B		
ARNIVAL G J		
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ILBIG J G		
IRBY W A		
UESTER A W		
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ICKENNA, F G		
IONTROSE J K		
IORGAN R V		
OTTER G L		
IZZUTO V M		
ILEY J H		
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PANDLIN N B		
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WANSON E R		
WILKINSON R B	X	
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VYANT, R B		
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CLASSIFICATION

UCNI	
UNCLASSIFIED	
CONFIDENTIAL	
SECRET	

AUTHORIZED CLASSIFIER
 SIGNATURE
 DOCUMENT CLASSIFICATION
 REVIEW WAIVER PER
 CLASSIFICATION OFFICE
 DATE

IN REPLY TO RFP CC NO

ACTION ITEM STATUS

☐ PARTIAL/OPEN
☐ CLOSED

LTR APPROVALS

ORIG & TYPIST INITIALS



GROUP	ACT	INFO
1100C		
ERM		
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OU-4 (SOLAR PONDS) DISPUTE
DRAFT AND FINAL PHASE I RFI/RI REPORT

Decision of the Project Coordinators

All parties have actively and cooperatively participated in a process to resolve the subject dispute as outlined in the Decision of the Project Coordinators dated August 13, 1993. The resulting agreement represents a landmark within the Interagency Agreement (IAG) to streamline the administrative process and accelerate actual remediation work by over one year in advance of baseline IAG milestones. The Project Coordinators agree that the dispute raised by letter dated June 2, 1993 is resolved with the following provisions:

1) The requirements for a draft and final Phase I RFI/RI Report for OU4 (Solar Ponds) are eliminated and thus the milestones are eliminated. This eliminates the original basis for the dispute.

2) A new IAG milestone is established for "All Solar Ponds emptied of water and sludge" with a date of 1/20/95.

3) The following IAG milestones are revised as shown:

•Submit Draft Proposed IM/IRA DD (with Enhanced Conceptual Design)	4/14/94
•Submit Proposed IM/IRA DD	6/24/94
•Submit IM Design Workplan (replaced with in-process Design Review)	Eliminated
•Submit IM/IRA Responsiveness Summary	11/1/94
•Submit Final IM/IRA DD and Resp Summary	1/13/95
•Submit IM/IRA Implementation Document (combined with Title II Design submittal)	Eliminated
•Submit Final IM/IRA Title II Design	2/10/95
•Begin IM/IRA Construction	9/27/95

The Project Coordinators recognize that implementation of this streamlined approach will require active and continuous coordination between all parties, and jointly pledge an increased level of participation in the administrative and technical design processes. In addition, all parties acknowledge that the revised milestones contained in this agreement represent a significant and responsive acceleration of closure of the Solar Evaporation Ponds (OU-4). As such, the cost profile for the solar ponds has been dramatically altered and exceeds the original planning budget targets for FY94 and FY96. The DOE has informed the CDH and EPA that the acceleration of activities for OU-4 may delay activities on other Operable Units covered by the IAG. Consequently, the CDH and EPA agree that potential budgetary impacts to other operable units will be considered as a basis for good cause schedule extension under Part 42, Item E of the IAG, provided DOE adequately demonstrates efforts to mitigate budget impacts to the other IAG operable units.

In a like manner, the DOE agrees that in years where the new Solar Pond cost profile is less than the current budget targets the difference will be utilized for scheduled or accelerated effort on other IAG operable units. In either case all parties expect to jointly consider these changes and acknowledge that requests for milestone extensions will be considered on an operable unit specific basis, utilizing all relevant information.

By their signatures below, the IAG Project Coordinators agree on behalf of their respective parties, to the resolution of the OU4 draft and final Phase I RFI/RI Report dispute as described above.

Colorado Department of Health

Date

~~Gary W. Baughman~~

U.S. Environmental Protection Agency
Martin Hestmark

Date

U.S. Department of Energy
Richard J. Schassburger

Date